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8 **UNITED STATES BANKRUPTCY COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 In re:

11 FRED JAEGER HUNTER and
12 MYLISSA ANN HUNTER,

13 Reorganized Debtors.

Chapter 11

Case No. 2:11-bk-20939-RJH

**MOTION FOR ENTRY OF FINAL
DECREE AND TO CLOSE
ADMINISTRATIVE CASE**

14 Fred Jaeger Hunter and Mylissa Ann Hunter (“Reorganized Debtors”), hereby move
15 the Court pursuant to 11 U.S.C. § 350(a) and Rule 3022, Federal Rules of Bankruptcy
16 Procedure, for approval of the Reorganized Debtors’ *Motion for Entry of Final Decree and*
17 *to Close Administrative Case* (the “Motion”). In support of the Motion, the Reorganized
18 Debtors hereby submit the following Memorandum of Points and Authority.

19 RESPECTFULLY SUBMITTED this 15th day of June, 2012.

20 ***LAKE & COBB, P.L.C.***

21 /s/Don C. Fletcher

22 Don C. Fletcher #012140

23 *Attorney for Reorganized Debtors*

MEMORANDUM OF POINTS AND AUTHORITY

I. BACKGROUND AND RELEVANT INFORMATION

This case was commenced as a Chapter 11 proceeding on July 21, 2011. On February 6, 2012, Debtors filed *Debtors' First Amended Disclosure Statement and Debtors' Plan of Reorganization* (the "Plan"), and on February 6, 2012, the Court entered the *Order Approving First Amended Disclosure Statement and Setting Balloting Procedures and Deadlines and Initial Confirmation Hearing Date*.

The Plan confirmation hearing was held on March 14, 2012, and on March 30, 2012, the Court entered the *Order Confirming Chapter 11 Plan* [Docket No. 58]. The Confirmation Order is now a final, non-appealable Order.

The Reorganized Debtors have substantially consummated the Plan by beginning to make payments and distributions as called for in the Plan. Those payments and distributions called for in the Plan which have not yet commenced will be properly made in due course pursuant to the terms of the Plan.

At this time, the assets of the estate have been vested with the Reorganized Debtors and they have made the initial payment and distribution as called for in the Plan. All claims, applications, and motions have been resolved, and Debtors desire entry of a Final Decree so there are no future obligations for quarterly fees to be paid to the Trustee.

The Reorganized Debtors are current on all quarterly fees to date and will remain current through the second quarter of 2012. The Debtors request the Final Decree be entered effective on June 30, 2012.

1 II. LEGAL AUTHORITY

2 Under 11 U.S.C. § 350(a), the Court is permitted to close a bankruptcy case after an
3 estate has been fully administered. After an estate is fully administered in a Chapter 11
4 reorganization case, pursuant to Rule 3022, Federal Rules of Bankruptcy Procedure, the
5 Court, on its own motion or on motion of a party in interest, shall enter a final decree closing
6 the case. Individual Chapter 11 cases “may be determined to be fully administered, even
7 through a discharge has not yet been entered.” *In re Necaise*, 443 B.R. 483 (Bankr. S.D.
8 Miss. 2010). Such cases “may be subject to being reopened at a later time for entry of a
9 discharge order upon completion of plan payments.” *Id.* This reduces “the costs incurred by
10 an individual chapter 11 debtor whose case remains open post-confirmation, including costs
11 for payment of UST quarterly fees, for preparing and filing monthly operating reports, and
12 for retention of professionals.” *Id.*

14 III. CONCLUSION

15 The Reorganized Debtors’ Plan was approved by the Court on March 30, 2012. The
16 Reorganized Debtors have substantially consummated their obligations under the Plan by
17 commencing to make distributions to creditors under the Plan, and will continue to do so
18 pursuant to the terms of the Plan. There are no outstanding issues, motions, or applications
19 regarding the Debtors, the Plan, or the bankruptcy estate. The Reorganized Debtors are
20 current with all of their prepetition and post-petition reports and payments due to the Office
21 of the United States Trustee.
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LAKE & COBB, P.L.C.

Don C. Fletcher #012140

COPIES of the foregoing mailed this 15th day of June, 2012, to All Parties on the Master Mailing Matrix, and to:

By: /s/ Joan C. Coombs